IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 1934 OF 2004

D'Sa Anthony Rocha and Ors. ...**Petitioners**

Versus

State of Maharashtra and Anr. ...Respondents

Mr. S.M. Sakhardande instructed by Mrs. S.S.Surve for the petitioners.
Mr. Pradeep Jadhav, Assistant Government Pleader, for respondents. .

CORAM: **DALVEER BHANDARI, C.J.** &
DR. D.Y. CHANDRACHUD, J.

DATE: **OCTOBER 14, 2004**.

P.C.

The petitioners have approached this Court with a prayer that they be allotted plot shown in green colour at Exhibit-E to the petition, which forms part of Survey No. 265 of Village Malvani, Malad, in lieu of plot No. 902 allotted to them. The learned Assistant Government Pleader submits that the other petitioners who could not be accommodated in Plot No. 265 will be accommodated in plot No. 902.

2. In reply to the show cause notice issued by this Court, the respondents have filed affidavit of Bashir Tadvi, Deputy Collector (Enc. & Removal), Malad. In the affidavit it was clearly mentioned that the plot which is being allotted to the petitioners is “sloppy one” but before

allotment of the physical possession of such plot to the eligible persons, levelling of land would be done by the respondents. The learned Assistant Government Pleader further assures that the respondents would take all steps to provide basic amenities on plot No. 902 allotted to the petitioners, as expeditiously as possible. No further directions are necessary. This petition is accordingly disposed of.

CHIEF JUSTICE

DR. D.Y. CHANDRACHUD, J.